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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Uganda

1. At its 8th meeting, on 10 May 2007, the Working Group examined a report of the Secretary-General on children and armed conflict in Uganda, introduced by the Special Representative of the Secretary-General (S/2007/260). The Permanent Representative of Uganda participated in the subsequent discussion.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. The members of the Working Group welcomed the submission of the report of the Secretary-General in accordance with Security Council resolution 1612 (2005) and the recommendations therein.

4. They also welcomed the cooperation of the Government of Uganda with the Working Group, the Special Representative and the Uganda Task Force on Monitoring and Reporting, established pursuant to the same resolution.

5. Tribute was paid to Uganda for its participation in the conference entitled "Free Children from War", held in Paris on 5 and 6 February 2007, at which the participants committed themselves to make every effort to uphold and apply the Paris Principles wherever possible in their political, diplomatic, humanitarian, technical assistance and funding roles, consistent with their international obligations.

6. Some members reaffirmed that any child recruited and used by the Lord's Resistance Army (LRA) must be released immediately. While the importance of the Juba peace talks was noted, it was underlined that the release of children could not be made dependent on the conclusion of a peace agreement. Members of the Working Group stressed that progress in the peace process on the ground would contribute to the improvement of the situation of children. A strong message ought to be passed to the LRA leaders. A wish was expressed for close cooperation between the Secretary-General's Special Representative on children and armed conflict and his Special Envoy for LRA-affected areas.

7. Bearing in mind the 2005 Uganda People's Defence Forces Act, which prohibits the recruitment of children under the age of 18 years, concern was expressed that children are present among the local defence units, which are de facto under the responsibility of the Uganda People's Defence Forces.

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8. The Permanent Representative of Uganda welcomed the work of the Special Representative, her visit in his country in June 2006 and the activity of the Uganda Task Force on Monitoring and Reporting. He referred to the 2005 Uganda People's Defence Forces Act prohibiting the recruitment of children under the age of 18 years and pointed to the fact that no recruitment in the armed forces was possible without the consent of local community chiefs. He acknowledged that poverty could have led parents to get their children "employed" in the armed forces by overstating their age. He stated that the conduct of independent on-site monitoring visits to military barracks should be considered with due respect for the sovereignty of Uganda. He declared that the Government of Uganda was committed to finalizing with the Uganda Task Force on Monitoring and Reporting a plan of action pursuant to resolution 1612 (2005). He promised the cooperation of his Government to work on the basis of the report of the Secretary-General on children and armed conflict in Uganda and expressed the wish that Uganda People's Defence Forces and local defence units not be mentioned in the annexes to the next annual report.

9. Members of the Working Group underlined that the case of children and armed conflict in Uganda was an "annex II" situation, considered by the Working Group on the basis of annex II to the report of the Secretary-General submitted pursuant to Security Council resolution 1612 (2005) (A/61/259-S/2006/826 and Corr.1) and that addressing it appropriately would enhance the work of the Working Group.

10. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolution 1612 (2005), the Working Group agreed to the following.

Recommendations to the Security Council

11. The Working Group agreed to recommend that the President of the Security Council address a message to the head of the LRA delegation to the Juba peace talks through a public statement by the Chairman of the Working Group to be transmitted by the Special Envoy for the LRA-affected areas:

(a) *Calling the attention* of the head of the LRA delegation to the Juba peace talks to the fact that the Security Council has received a report of the Secretary-General on children and armed conflict in Uganda, dated 7 May 2007 (S/2007/260), underlining the absence of any concrete signs regarding the release of children associated with LRA;

(b) *Strongly condemning* the continuous recruitment and use of child soldiers and all other violations and abuses committed by LRA;

(c) *Noting* the International Criminal Court indictments against members of the LRA leadership on charges of, among other things, the enlistment of children through abduction, as a war crime;

(d) *Strongly reaffirming* that the release of children cannot be made dependent upon the conclusion of a peace agreement;

(e) *Urging* LRA:

(i) To take immediate steps to release children associated with its forces;

(ii) To immediately engage in transparent procedures with the United Nations Children's Fund for verification of the demobilization of all children;

(iii) To provide humanitarian personnel with immediate unimpeded access to populations in need;

(iv) To ensure that specific provisions for children are included by the parties at all steps of the negotiations, bearing in mind the importance of holding accountable perpetrators of violations and abuses committed against children;

(f) *Strongly urging* LRA to respond positively to this message and to take serious follow-up actions.

12. The Working Group also agreed to recommend that the President of the Security Council address a letter to the Secretary-General:

(a) *Noting* the issuance by the International Criminal Court of arrest warrants against members of LRA;

(b) *Requesting* that the Secretary-General submit to the Security Council in early 2008 a report on the follow-up given by LRA to the message addressed to it by the Chairman of the Working Group, to be considered by the Working Group in the framework of its 2008 programme of work with a view to possibly recommending further steps;

(c) *Requesting* that the Special Envoy of the Secretary-General for the LRA-affected areas transmit to the head of the LRA delegation to the Juba peace talks the message of the Chairman of the Working Group, and encouraging the inclusion of specific provisions for children by the parties to the conflict at all steps of the negotiations, bearing in mind the importance of holding accountable the perpetrators of violations and abuses committed against children.

Letters from the Chairman of the Working Group

13. The Working Group agreed to address letters from its Chairman:

To the Government of Uganda

(a) *Welcoming* the cooperation of the Government of Uganda with the Working Group, the Special Representative of the Secretary-General and the Uganda Task Force on Monitoring and Reporting established pursuant to Security Council resolution 1612 (2005);

(b) *Noting* the indictment by the International Criminal Court of members of the LRA leadership on charges of, among other things, the enlistment of children through abduction, as a war crime;

(c) *Bearing in mind* the 2005 Uganda People's Defence Forces Act, which prohibits the recruitment of children under the age of 18 years, and urging the Government of Uganda:

(i) To comply without further delay with the Security Council resolution 1612 (2005) on children and armed conflict by maintaining the dialogue with the Uganda Task Force on Monitoring and Reporting for

the preparation and impleme tation of a concrete and time-bound action plan as soon as possible to halt the violations and abuses committed against children for which it has been cited;

(ii) To take appropriate measures for the immediate release of any child used in the local defence units and to ensure that children are not used by Government forces for intelligence-related activities;

(iii) To take appropriate measures to facilitate the reintegration of the demobilized children;

(iv) To ensure that the Uganda People's Defence Forces (UPDF) reach an agreement with the Uganda Task Force on Monitoring and Reporting on the conduct of independent on-site monitoring visits to military barracks regarding the presence of child soldiers in UPDF as well as in the local defence units under the command structures of the UPDF within the framework of Security Council resolution 1612 (2005);

(v) To prosecute and punish those responsible for sexual violence against girls and women, particularly in internally displaced persons camp settings;

(vi) To pay particular attention to the needs of girls who have been affected by the conflict, in particular those associated with armed groups in the reintegration and rehabilitation process;

(vii) To ensure that specific provisions for children are included by the parties at all steps of the negotiations, bearing in mind the importance of holding accountable perpetrators of violations and abuses committed against children;

(viii) To consider favourably new visits of the Special Representative of the Secretary-General to Uganda and further interaction with the Working Group;

To the World Bank and donors

(d) *Requesting*:

(i) That the World Bank and donors ensure that sufficient resources are made available to support programmes for the release, return and reintegration of the children associated with armed groups into their communities, with due consideration for the longer-term requirements of such programmes for children;

(ii) That the World Bank and donors provide all necessary support for the reinforcement of the Uganda Task Force on Monitoring and Reporting in collecting adequate and reliable information on the impact of violations against children in this new phase of peacebuilding in Uganda.